

Incident Report Reference Guide 2006



Prepared by Utah State Division of Juvenile Justice Services Internal
Investigation Unit

INTRODUCTION

Critical incidents occur within all programs and facilities under the direction of the Division of Juvenile Justice Services (JJS). These events range from situations as simple as “information only” to others, which may require referrals to the respective county attorney’s office or law enforcement.

These **non-routine, unusual or potentially threatening** circumstances require proper documentation. This documentation is accomplished by the preparation of Incident Reports.

In 1994, a Process Improvement Team was empanelled to review the process utilized by JJS in preparation of Incident Reports. The challenge of the team was to develop a standardized reporting system, which contained essential information, supporting narrative and appropriate recommendations for action.

The team identified the following needs:

- ✓ Develop a standardized format to be used consistently throughout JJS and contracted private providers.
- ✓ Develop a format, which asks pertinent information about the incident.
- ✓ Create a concise report, which is simple to complete.
- ✓ Compile directions for the person documenting the incident, which results in an accurate, detailed, and professional report.
- ✓ Produce a Level of Severity and Notification Level system which divides offenses or events into levels of severity, and instructs who is notified and when an investigation or other sanctions may be required.

The following text provides all information necessary to achieve these objectives.

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DIRECTIONS FOR COMPLETING INCIDENT REPORTS

The incident report is the primary report generated by staff describing the event that has occurred. It is prepared by the person with direct involvement or knowledge of the incident of the event or has been designated as the lead person who is responsible for documenting the event.

An Incident Report creates a probable cause statement.

Probable cause is a set of facts, conditions or circumstances that can be clearly stated, that would cause a reasonable person to believe the facts, conditions, or circumstances are true. This is the same standard a judge uses to issue a search warrant, a police officer uses to make an arrest or to take a youth into custody and book into detention.

- I. **WHEN TO PREPARE AN INCIDENT REPORT.** Incident reports should be used to describe any non-routine, unusual, or potentially threatening event in a facility or program. Events requiring completion of an incident report include, but are not limited to: accidents, suicide attempts, assaults, crisis, extreme upset, or other non-routine occurrences. Reports should be completed **before the end of the shift when the incident occurred, or within 24 hours when approved by Supervisor.** Incident Report forms do not replace other required documentation (disciplinary and/or progress notes).
- II. **WHO SHOULD PREPARE AN INCIDENT REPORT.** Any staff member(s) involved in or directly aware of the incident that occurred should complete an Incident Report or Supplemental Incident Report. A staff member does not have to witness the event in order to generate a report. Supplemental Incident Reports are completed by other involved staff for all Level 1 & 2 incidents and / or when requested by a supervisor.
- III. **PREPARATION OF AN INCIDENT REPORT.** By way of example, if two staff members witnessed an incident, which requires a report be prepared, one staff member (designated as the lead person) would complete the Incident Report while the other staff member who witnessed the event would complete a Supplemental Report, if the situation dictates. If additional information became available at a later time, staff members having obtained that information would document it using a Supplemental Report.

When preparing the Incident or Supplemental Report, all applicable portions of the Report should be completed. The following is a description of what information needs to be included in each portion of the report:

- A. **Juveniles Involved:** The names of all the juveniles involved should be listed including their case number when available. (Case # Last, First, Middle Name)
- B. **Date, Time & Incident Location:** The date and time should reflect when the incident occurred not when the Report was generated or completed. The location of the incident should describe specifically where the incident occurred. For

example: If an incident occurred at the Mill Creek Youth Center (MCYC), then the location should clarify specifically where in the MCYC the incident occurred, i.e. Cottage W, Room 1.

- C. **Staff on Shift and Witnesses:** The person preparing the report should list names of staff members on shift, who were involved in or have knowledge of the incident. Witnesses include other youth or any person(s) who witnessed the event, i.e. volunteers, school staff, etc.

- D. **Description of the Incident.** The most critical portion of the Report! Information contained here should define who is preparing the Report (name and job title) and should be written in first person (for example: I, John Doe, JJS Counselor II...). The information written should be clear, concise, accurate, specific and as detailed as possible. The writer should always strive to report objectively, factually and as accurately as possible. Subjective and judgmental statement should be avoided.

When incidents result in physical intervention, Control Holds and /or Hard Restraints the writer should document specifically which Control Holds were used, who placed the Hard Restraints and how long the holds and /or restraints were used. The writer should also document verbal de-escalation techniques used and the reason for going “hands-on.” The writer should also be familiar with their facility’s/ program’s Operational Manual regarding physical intervention and time frames when Control Holds and/or Hard Restraints are used. **Again, clear, concise, specific, accurate, and detailed information are the most important elements of this section.**

- E. **Action Taken:** The staff member who has prepared the report should list what immediate action was taken or any further recommendations they deemed appropriate. This section should also indicate who was informed of the incident, i.e. the supervisor (by name) notified.

- F. **Attachments:** In this section, the writer indicates that additional information is included with the Incident Report. This additional information may include one or more of the following:

1. **Supplemental Report:** This checkbox is marked in the event a supplemental report has been prepared. Include number of Supplemental reports completed.
2. **Evidence.** This check box is marked if some form of evidence has been collected. This includes contraband, weapon, illegal substance, etc.
3. **Diagram.** This checkbox is marked when a diagram has been provided as an attachment to the initial Incident Report, describing the area or something significant about the incident.
4. **Surveillance Camera.** This checkbox is marked when the incident occurred within the view of a facility/ program surveillance camera.

5. **Other.** This checkbox is marked when any other attachments not previously clarified are necessary. For example: photographs, letters, drawings/writings, etc.

G. **Check Boxes:** In this section, the writer indicates all boxes that apply to the incident.

H. **Classification.** The writer identifies the type of incident and the level (1-4) of severity of incident that took place.

I. **Incident #:** In order to provide for more efficient accounting of incident reports, a number should be assigned to each report generated. This number is to be assigned by secretarial or other designated office staff.

IV. **DISTRIBUTION OF INCIDENT REPORT.** Is to be done through the Incident Report Notification System. Notification can be done through email or by fax. An Incident Report hard copy will be maintained by the following:

- A. Original to facility director (to be maintained as part of a central log of Incident Reports for the program or facility).
- B. Copy in resident's folder (refer to individual facility's Operational Manual)
- C. Any other appropriate entity

V. **ASSOCIATE PROGRAM DIRECTOR NOTIFICATION.** Unusual incidents which involve or endanger the lives or physical welfare of youth or staff members shall be reported to the Associate Program Director through the Notification System.

- A. Reports shall be forwarded following the Incident Report Reference Guide Levels of Notification.
- B. Extraordinary or unusual occurrences shall include but are not limited to:
 1. Death
 2. Attempted suicide when hospitalization occurs
 3. Fire, when serious bodily harm or significant building damage is done
 4. Riot
 5. Any assault on youth by a staff member
 6. Sexual assaults
 7. Any potential litigation
 8. Any escape attempt

VI. **NOTIFICATION TO THE OFFICE OF RESEARCH, EVALUATION & PLANNING.** Facilities and programs will be responsible to fax or email a copy of the

Incident Report Summary Log to the State Office R.E.P. representative, when a Level 1 incident occurs, otherwise, the Incident Report Summary Log is to be sent to the R.E.P. representative quarterly.

VII. **WORKER AND/OR JUVENILE COURT NOTIFICATION:** A copy of the incident report may be forwarded to the youth's worker and/or Juvenile Court under the following circumstances:

- A. Upon request
- B. When charges are to be filed as a result of the incident
- C. When deemed appropriate by administrative staff
- D. Incident Reports are classified as "Private" under the Governmental Records Access Management Act (GRAMA, UCA 62-3-204). When an Incident Report is included in an Internal Investigation it becomes a "Protected" report.

INCIDENT REPORT LEVELS OF SEVERITY

The Level of Severity system is used to describe and list the level of severity of incidents, which occur within facilities and programs.

The system is comprised of four levels of severity:

Level 1	Maximum Severity
Level 2	Intermediate Severity
Level 3	Minimum Severity
Level 4	Information Only

The classification of incident reports delineates incidents from the most to least serious.

The directions for completing incident reports has been distributed to all programs and facilities throughout the Division of Juvenile Justice Services and to all contracted private providers.

The manual explains:

- ✓ When to prepare an incident report
- ✓ Who should prepare an incident report
- ✓ Preparation of an incident report
- ✓ Distribution of incident reports
- ✓ Associate Program Director notification
- ✓ Worker and/or juvenile court notification

When an Incident Report is prepared and is considered to be the most serious type of incident, it requires the Associate Program Director be notified immediately when unusual incidents involving endangering the lives or physical welfare of a juvenile or staff. All Incident Reports should be completed before the end of the shift when the incident occurred, or within **24** hours when approved by a supervisor.

The Levels of Severity includes:

Level 1 Maximum Severity
Level 2 Intermediate Severity
Level 3 Minimum Severity
Level 4 Information Only

INCIDENT REPORT LEVELS OF SEVERITY

LEVEL 1 – MAXIMUM SEVERITY

ACCIDENT / INJURY

- Accident or injury requires immediate treatment from a medical professional or a hospital visit

AGGRAVATED ASSAULT

- Intentional serious bodily injury to another by staff, resident, prisoner or other
- Assault with an object

ARSON

- Reckless burning

ASSAULT – SERIOUS BODILY INJURY

- Use of force or violence to do bodily harm
- Fracture of any bone or bones; A burn caused by placing a hot object upon skin or body; injury caused by use of a deadly or dangerous weapon; combination of two or more physical injuries inflicted by the same person at the same time; damage to internal organs of the body; injury that creates a permanent disfigurement or protracted loss or impairment of the functions of bodily member, limb, or organ; conduct that causes a child to cease breathing, even if resuscitation is successful following conduct.
- By staff, resident, school employee, or other

CHILD ABUSE

- Illegal threats, neglects or abandons in any manner likely to cause unnecessary suffering or serious injury
- By staff, resident, school employee, or other
- Abuse or neglect of a disable child

ESCAPE

- By prisoner from a *secure* facility or program

LAW ENFORCEMENT INVOLVEMENT

- Any incident that law enforcement or the Fire Department is involved

OFFICIAL MISCONDUCT BY STAFF

- Unlawful conduct
- Any illicit drug activity by staff, youth, school employee, private provider or other
- Code of Ethics or Policy and Procedure violations that place youth or staff at risk

OTHER

PROPERTY DAMAGE

- Injury to a facility (damage greater than \$500)
- Law enforcement involvement

RIOT

- Two or more youth engage in violent conduct thereby knowingly or recklessly creates a substantial risk of causing public alarm

SEXUAL ASSAULT

- Sexual assault of a child by staff, private provider, or youth
- Custodial sexual relations (UCA 76-5-413) Unlawful sexual intercourse
- Custodial sexual misconduct - taking indecent liberties with youth in custody

SUICIDE (COMPLETED)**UNATTENDED OR ATTENDED DEATH****WEAPON RELATED OFFENSE**

- Possession of a dangerous weapon, threatening use in fight, possession by minor, parent / guardian providing firearm to a violent minor, sales of firearms to a minor, enhanced penalties (gang)

LEVEL 2 – INTERMEDIATE SEVERITY

ACCIDENT / INJURY

- Accident or injury requires treatment within **24** to **48** hours from a medical professional

AIDING A RIOT

ASSUALT – INJURY

- Use of force or violence to do bodily harm
- By staff, resident, school employee, or other

CODE OF ETHICS/POLICY AND PROCEDURE VIOLATIONS

ESCAPE

- By resident from community based residential programs (i.e. O&A, programs that the youth are in temporary residential custody of DJJS)

LEWDNESS

- Performs sexual intercourse or sodomy, exposes genitals, masturbates, trespassory voyeurism, or any other act of lewdness in **public** not amounting to rape, forcible, or aggravated sexual assault

MISCONDUCT REPEATED ACTIVITY

- By youth resident

PHYSICAL INTERVENTION

- Positive Control System used by staff on youth
- Any use of physical intervention by staff on youth

PROPERTY DAMAGE

- Damage greater than \$250

OBSTRUCTING JUSTICE

- The person's intent is to hinder, delay, or prevent the investigation, apprehension, prosecution, conviction, or punishment of any person regarding conduct that constitutes a criminal offense

OTHER

SUICIDE (ATTEMPTED) SUICIDE (GESTURING)

THEFT

- By staff, resident, school employee or other

THREATS AGAINST LIFE OR PROPERTY

- Threats involving bodily injury, death, or substantial property damage

LEVEL 3 – MINIMUM SEVERITY

ABUSE OF PSYCHOTOXIC CHEMICAL SOLVENT

- Causing youth to become altered or ill

ACCIDENT / INJURY

- Requires facility or program nurse to observe the injury

ASSAULT NON-INJURY

- By staff, resident, school employee or other

CODE OF ETHICS / POLICY AND PROCEDURE VIOLATIONS

DISORDERLY CONDUCT

HARRASSMENT

- By staff, youth, school employee, or other

GANG RELATED OFFENSES

- Using gang signs, gang writing, etc.

GIVING A FALSE ALARM

OTHER

PROPERTY DAMAGE

- Damage less than \$250

PROVIDING CONTRABAND

- Staff, private provider, or school employee providing contraband to a youth in custody.

PROVIDING FALSE INFORMATION

PROVIDING FALSE WRITTEN STATEMENTS

SEXUAL BATTERY

- Intentional touches whether or not through clothing the anus, buttock, or any part of the genitals of another person or the breast of a female causing affront or alarm to the person touched.

LEVEL 4 – INFORMATION ONLY

ACCIDENT / INJURY

ANY POTENTIAL LITIGATION

- Employee receives information of any potential litigation

BUILDING SAFETY ISSUES

CODE OF ETHICS / POLICY AND PROCEDURE VIOLATIONS

CUSTODIAL INTERFERENCE

OTHER

POSSESSION OF CONTRABAND

TAMPERING WITH EVIDENCE

TOBACCO OFFENSES

INCIDENT REPORT NOTIFICATION

LEVEL 1

(MAXIMUM SEVERITY)

- DJJS Director (Dan Maldonado – dmaldona@utah.gov)
- State Office R.E.P. (Jeff Wells – jeffwells@utah.gov)
- An Investigator within The Office of Internal Investigations (Tara Jorgenson – tjorgens@utah.gov (801) 514-2632, Jantz Afuvai – jafuvai@utah.gov (801) 514- 2353, or Dustin Howard – dustinhoward@utah.gov (801) 514-0728.)
- Program Director (not required by private provider)
- Associate Program Director (not required by private provider)
- Supervisor (not required by private provider)
- Private Provider must notify Case Manager within the hour of a critical serious incident occurring. The Incident Report is to be completed within 24 hours of the incident occurring and distributed to all identified entities on the Level 1, notification list.
- Any other appropriate entity

***NOTE* *Level 1 notification* is to be done IMMEDIATELY (by phone or email), notification is not to exceed 24 hours after incident. All Incident Reports (Level 1-4) are to be completed by the end of the staff's shift when the incident occurred or within 24 hours when approved by a Supervisor.**

LEVEL 2

(INTERMEDIATE SEVERITY)

- Program Director- will decide to refer to Internal Investigations (not required by private provider)
- Associate Program Director (not required by private provider)
- Supervisor (not required by private provider)
- Private Provider must notify Case Manager
- Any other appropriate entity

LEVEL 3

(MINIMUM SEVERITY)

- Associate Program Director- will decide to refer to Internal Investigations (not required by private provider)
- Supervisor (not required by private provider)
- Private Provider must notify Case Manager
- Any other appropriate entity

LEVEL 4

(INFORMATION ONLY)

- Associate Program Director - will decide to refer to Internal Investigations
- Supervisor
- Any other appropriate entity